

11-19-04

B

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|------------------------------------------------------------------------------------------------|--|------------------------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number 08/851628 |
| | | Filing Date May 6, 1997 |
| | | First Named Inventor Charles M. Cohen |
| | | Art Unit 1647 |
| | | Examiner Name D. S. Romeo |
| Total Number of Pages in This Submission 9 | | Attorney Docket Number JJJ-P01-515 |

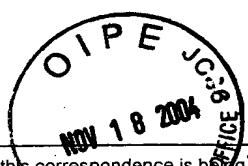
| ENCLOSURES (Check all that apply) | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard |
| Remarks | | |
| Amendment is filed under 37 C.F.R. 1.132 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--------------------------------------------|--------------------------|----------|--------|
| Firm Name | ROPS & GRAY LLP | | |
| Signature | | | |
| Printed name | Ignacio Perez de la Cruz | | |
| Date | November 18, 2004 | Reg. No. | 55,535 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ED 181235324 US, in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 18, 2004

Signature: (Linda Blake)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Mailbox No. ED 103565324 US, in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 18, 2004

Signature: Linda Blake
(Linda Blake)

Docket No.: JJJ-P01-515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Cohen et al.

Confirmation No.: 6154

Application No.: 08/851628

Art Unit: 1647

Filed: May 6, 1997

Examiner: D. S. Romeo

For: NOVEL THERAPIES FOR CHRONIC RENAL
FAILURE

November 18, 2004

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. 1.312

Sir:

A notice of allowance was mailed on September 8, 2004, setting a period of three months for payment of the issue fee *i.e.* by December 8, 2004. Pursuant to 37 C.F.R. 1.312, an amendment after allowance must be filed before or with payment of the issue fee. The issue fee has not yet been paid. Accordingly, this amendment is being timely filed.

Applicants respectfully request that the Examiner enter this amendment which makes typographical changes and adds new claims to individually list the species of the markush group of claim 1. These species have been previously searched and found allowable.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.